

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND**

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.28732 of 2016

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Dated 29th August, 2016

Between:

M/s.Kennedy High School and another

.....Petitioners

And

State Bank of India, Stressed Assets Management Branch-II, 1st
Floor, TSRTC, Kacheguda Amenity Centre, Kacheguda,
Hyderabad, rep.by its Authorised Officer

.....Respondent

Counsel for the petitioners: Sri C.Raghu

Counsel for the Respondent: Sri B.S.Prasad

The Court made the following:

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND**

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.28732 of 2016

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for the following substantive relief:

“...to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the Respondent Bank in issuing E-Auction vide E-Auction Sale Notices dated 22.07.2016 issued in relation to Flat No.202, Ranga Prasad Enclave, Serilingampally Mandal and Municipality, R.R.District, covered under

Doc.No.1298/2000, dated 24.02.2000 and E-Auction Notification dated 10.08.2016 in relation to petitioner school property in RS No.151/3-B, Kanuru Village, Vijayawada, covered under Doc.Nos.338/1984 dated 19.01.1984, Doc.No.586/1984, dated 30.01.1984 and Doc.No.337/1994, dated 19.01.1984, for recovery of Rs.8,28,789/- when the value of the properties is shown Rs.1,90,80,000/- and Rs.23 lakhs respectively, as illegal, arbitrary and *mala fide* and set aside the same.”

The learned counsel representing Sri B.S.Prasad, learned counsel for the respondent, submitted that in view of the mistake crept in the impugned notifications regarding the outstanding amount, the same are withdrawn by the respondent and that fresh e-auction sale notices will be issued by mentioning the correct outstanding amount.

In view of this subsequent event, the cause in the writ petition does not survive for adjudication and the writ petition is accordingly dismissed as infructuous.

As a sequel to dismissal of the writ petition, WP.MP.No.35568 of 2016 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

29th August, 2016
VGB